

JAN 15 2010

JOHN F. CONRAD, CLERK  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

UNITED STATES OF AMERICA,

v.

GREGORY ALLEN GOINS,

Defendant.

)  
)  
) Case No. 7:05CR00028-016  
) (Case No. 7:10CV8-216)

) **FINAL JUDGMENT AND ORDER**

)  
) By: Glen E. Conrad  
) United States District Judge  
)

For the reasons stated in the memorandum opinion entered this day, it is

**ADJUDGED AND ORDERED**

that the defendant's motion (Dkt. No. 750), construed and filed as a motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED** without prejudice and the § 2255 action is hereby stricken from the active docket of the court. It is further **ORDERED** that for lack of cause shown, the defendant's motion for modification of supervised release conditions is **DENIED**, pursuant to 18 U.S.C. § 3583(e). Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability regarding dismissal of the § 2255 motion is **DENIED**.

ENTER: This 15<sup>th</sup> day of January, 2010.



United States District Judge